

EXHIBIT 3

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April 15, 2009

**VIA FACSIMILE TRANSMISSION
and EMAIL**

Michael D. Pinsky, P.C.
211 Main Street
Goshen, New York 10924-0148
Attn: Michael D. Pinsky, Esq.

**RE: Obayashi Corporation and Peck/Jones-Obayashi v. Alan G. Friedberg
Adv. Pro. No. 08-9064 (CGM)**

Dear Michael:

We received the Defendant's Answer & Objections to Plaintiffs' First Set of Interrogatories (the "Answer & Objections"), wherein the Defendant asserts objections to all but two of the Plaintiffs' eleven interrogatories.

We send this letter to request that the Defendant withdraw its objections and provide answers to the interrogatories.

First, it would be more practicable for the Defendant to provide the information requested by interrogatory answer, rather than by deposition testimony because, among other things, Rule 33 requires that full and complete interrogatory answers be based upon all information within the answering party's control while Rule 30 does not contain such a requirement for depositions.

Second, please note that the Defendant served its Answer & Objections on or around April 4, 2009, well past thirty days after service of the Plaintiff's First Set of Interrogatories on February 5, 2009. As a result, pursuant to Rule 33(b) of the Federal Rules of Civil Procedure, any objection to the First Set of Interrogatories has been waived.

We ask that you please contact us by the close of business on Friday, April 17, 2009, to advise whether the Defendant will be supplementing its Answer & Objections so as to provide answers to the interrogatories that have been objected to.

Of course, we would prefer to avoid the need to seek assistance from the Court.

This letter is sent without waiver of any of plaintiffs' rights or remedies.

Very truly yours,


Lon J. Seidman

LJS:cagr

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